IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 2 OF 2007

SMT. LAXIMI LAXMAN TORASKAR ....Petitioner

Versus

ASSISTANT DIRECTOR OF PANCHAYATS, DIRECTORATE OF PANCHAYAT AND ANR ....Respondents

Mr. S.D. Lotlikar, Senior Advocate with Mr. Marvin D' Souza, for the Petitioner.

Mr. S.S. Kantak, AG with Ms. G. Bhonsule, for R.1.
Shri N.N. Sardessai For R-2

Coram:- S.A.BOBDE, J.

Date:- 15th March, 2007

ORAL JUDGMENT:-

Rule. Rule returnable forthwith. Heard by consent.

After hearing the matter for some time, the following Order is passed :-

The Director of Panchayat shall treat the Order dated 23.4.1999 directing stoppage of construction of road as an Order under Section 178(1) of the Goa Panchayat Raj Act, 1994. He shall refer the said Order dated 23.4.99 to the Government under Section 178(2) of the Act. The Government shall thereafter consider the correctness or otherwise of the Order under sub-section (2) of Section 178 of the Act after hearing those concerned and decide accordingly. The Government shall decide the matter within a period of four weeks after receiving the Order from the Director of Panchayat.

The Judgment and Order of the Director dated 28th June, 2005 is set aside. Rule stands discharged accordingly.

S.A.BOBDE, J.

sl.